REMARKS

In the outstanding Office Action, the Examiner has rejected Claims 6-11. Reconsideration and allowance of all Claims 6-11 in light of the present remarks is respectfully requested.

Discussion of Claim Rejections Under 35 U.S.C. § 102(b)

Neubauer, et al.

The Examiner has rejected Claims 6-11 under 35 U.S.C. § 102(b) as anticipated by U.S. Patent Number 5,953,673 to Neubauer, et al.

Regarding Claim 6, the Examiner stated that "Neubauer discloses a method for reaching subscribers in a cellular mobile radio communications system" comprising all of the elements recited in Claim 6.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053.

Claim 6 recites a method for reaching subscribers in a cellular mobile radio communications system, comprising "temporarily assigning object identifications to subscribers, said temporary object identifications being formed by subscriber data sets that respectively define an entire subscriber environment of a virtual communication network within the cellular mobile radio communications system, wherein the cellular mobile radio communications system is configured for at least voice communication, wherein one or more subscriber data sets are assignable to subscribers of the cellular mobile radio communication system, and wherein the subscriber data sets are selected from a pool of predetermined subscriber data sets; and selectively allocating predetermined subscriber environments to respective authorized subscribers, the predetermined subscriber environments being defined by the subscriber data sets."

Neubauer describes a method of establishing a connection between a calling subscriber SA of a telecommunications network and a called target subscriber SB of a mobile radio network. *Col. 5, lines 53-58.* The called target subscriber belongs to a specific target group comprising a plurality of mobile subscribers, and a call is made to the target subscriber according to a mobile access hunting supplementary service set up in the mobile radio network. *Col. 5,*

lines 58-62. The supplementary service can be, for example, a taxi call system without the intermediary of a telephonist or an operator. For this example, location information for the calling stationary subscriber and a plurality of mobile subscribers of a group dialed by a group call number are requested by a data processing device and subsequently evaluated. *Col. 6, lines 5-18.* Thereby, the taxi driver who is closest with respect to the calling stationary subscriber, and who is not already engaged in a call and is free to take on the taxi service desired is selected as the target mobile subscriber SB. *Col. 9, lines 56-62.*

In the system described by Neubauer, a target group is defined by a group call number, and the target subscriber member of the target group who is best suited with respect to the calling subscriber is selected in order to establish a connection with this mobile target subscriber. Before the selection of this mobile target subscriber, information on the locations of the mobile subscribers of the target group defined by the selected group call number and information on the location of the calling subscriber of the telecommunications network is obtained and evaluated by the equipment of the standardized mobile radio network. If there is a network architecture sustaining the structure of an intelligent network, a service control point in the intelligent network takes over the selection of the mobile target subscriber. *Col. 6, lines 13-23.*

Thus, Neubauer describes a system wherein a target group consists of several target subscribers who can be reached under a common group call number. A calling subscriber dials the target group number. For the selection of the mobile target subscriber from the target group defined by the dialed group call number, location or temporal selection criteria with respect to the mobile subscribers can be obtained from the home location register or from the service control point. *Col. 8, lines 50-64.* In addition, it is possible to achieve the selection of the mobile target subscriber by priorities assigned to the individual mobile subscribers of the target group.

In contrast to Neubauer, the temporary object identifications assigned according to the method of Claim 6 are "formed by subscriber data sets that respectively define an entire subscriber environment of a virtual communication network within a cellular mobile radio communications system." The group call number assigned to a target group in Neubauer's system is <u>not</u> formed by subscriber data sets, each defining <u>an entire subscriber environment</u> of a virtual communication network used in modern digital cellular mobile radio communications systems. Applicant refers to the example in Applicant's specification at page 3, lines 7-27 of the method recited in Claim 6, and Figure 2 and the corresponding description added by the

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preliminary amendment filed with the application. Applicant also notes that it is well known that subscriber data sets include data related to subscription, identification, authentication, and numbering. *See* GSM Specification 3G TS 23.008, Ch. 1.1, 2.1.

Neubauer fails to describe a subscriber environment defined by subscriber data sets selected from a pool of predetermined subscriber data sets. Accordingly, the target group's call number in Neubauer's network structure is not formed by subscriber data sets including data related to subscription, etc., which respectively define an entire subscriber environment of a virtual communication network.

Furthermore, Neubauer fails to describe "selectively allocating predetermined subscriber environments to respective authorized subscribers, the predetermined subscriber environments being defined by the subscriber data sets." Applicant's specification further describes this feature on page 2, lines 17-27, providing that:

> [a] subscriber to whom an object identification was assigned preferably also has a temporary, object-related and a permanent, individual subscriber environment. This means that this subscriber can be reached as a virtual communication network subscriber as well as under his individual subscriber number. Consequently, it is ensured that the subscriber can be optimally reached. If a call to a subscriber environment arrives while said subscriber is carrying on a conversation in another environment, the second call may, for example, be rerouted to a voice memory or relayed to the subscriber during the call, i.e., the subscriber may alternately speak with both subscribers. This means that the subscribers can always be reached using the call numbers that correspond to the individual and the temporary subscriber environments actually assigned to the subscriber.

Thus, a new subscriber data record is freely assigned to any authorized subscriber, as illustrated in Applicant's Figure 2, wherein the new subscriber data record is selected from a pool of preset subscriber data records. Neubauer in no way discusses selective allocation of predetermined subscriber environments as recited in Claim 6.

Therefore, as Neubauer fails to describe, either expressly or inherently, every element as set forth in Claim 6, Applicant respectfully submits that Claim 6 is in condition for allowance.

Because Claims 7-11 depend from Claim 6, pursuant to 35 U.S.C. § 112, ¶ 4, they incorporate by reference all the limitations of the claim to which they refer. It is therefore submitted that these claims are in condition for allowance at least for the reasons expressed with respect to the independent claim, and for their other features.

In regard to Claim 8, Neubauer fails to describe an <u>authorization</u> check and fails to disclose an <u>allocation of data sets</u> to subscribers.

In regard to Claim 9, Neubauer is silent as to <u>assigning</u> a temporary, object-related and a permanent, individual <u>subscriber environment</u> to a subscriber, to whom an object identification has been assigned.

In regard to Claim 10, Neubauer describes a system wherein a group of subscribers can always be reached under a common group call number. However, Neubauer fails to mention that an individual or temporary subscriber environment.

Pfundstein, et al.

The Examiner has rejected Claims 6, 8, and 11 under 35 U.S.C. § 102(b) as anticipated by U.S. Patent Number 6,029,067 to Pfundstein, et al.

Regarding Claim 6, the Examiner stated that "Pfundstein discloses a method for reaching subscribers in a cellular mobile radio communications system" comprising all of the elements recited in Claim 6.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California,* 2 U.S.P.Q.2d 1051, 1053.

Pfundstein describes a system to arrange a virtual private network within a mobile-radio network (MRN) for a group of mobile subscribers using facilities and devices that already exist in the mobile-radio network. *Col. 2, lines 51-54; col. 1, lines 44-48.* Each private network corresponds to a virtual private branch exchange having its own call number directory assigned to it. *Col. 4, lines 55-57.* Pfundsteins system includes a subscriber data base, or home location register (HLR), which administers the subscriber data to the mobile subscribers. *Col. 3, lines 1-5.* The subscriber data contain a mobile subscriber identity number (IMSI) or ID. *Col. 3, lines 25-29.* A subscriber data set DS with a first logic data set LDS and a second logic data set LDS-VN are assigned to the ID number for a mobile subscriber. *Col. 3, lines 30-34.* The first logic data set is used for registration in the mobile-radio network, and the second logic data set is used for registration in the virtual private network. *Col. 3, lines 44-47, 57-60.*

Pfundstein, however, fails to teach "selectively allocating predetermined subscriber environments to respective authorized subscribers ... ." Such selective allocation was previously

discussed above in the argument over Neubauer. Thus, as Pfundstein fails to describe, either expressly or inherently, every element as recited in Claim 6, Applicant respectfully submits that Claim 6 is in condition for allowance.

Because Claims 8 and 11 depend from Claim 6, pursuant to 35 U.S.C. § 112, ¶ 4, they incorporate by reference all the limitations of the claim to which they refer. It is therefore submitted that these claims are in condition for allowance at least for the reasons expressed with respect to the independent claim, and for their other features.

Comments on Hentilä, et al.

U.S. Patent No. 6,044,259 to Hentilä, et al. describes a system comprising a subscriber administration logic located at a service control point SCP of an intelligent network. A subscriber database of a service data point SDP is associated with the SCP by CCS signaling. Subscriber records of the subscriber database are created, updated and deleted by the operator, but the create, read/write, and delete functions can also be performed via a telephone network associated with the intelligent network.

If a visitor subscriber of a mobile phone network is updated to a mobile phone network, the subscriber data are automatically forwarded to the intelligent network, which creates a subscriber record for the subscriber concerned. From the exchange performing call control, charging pulses generated during the call are forwarded to the service control point (SCP) in the manner defined by a monitoring request sent by a service control function (SCF), wherein the service control point calculates the real time charges for the call. The current charges are compared with the value indicated by the subscriber record, and the instructions contained in the record are followed. The system makes it possible to implement both call- and subscriber-specific restrictions in real time.

In summary, Hentilä is directed to real time charging for roaming subscribers. In the roaming network an own subscriber record for a roaming subscriber is created with which a real time charging of the call within the roaming network can be accomplished. However, this system is not related to the subject matter of the pending claims.

Applicant has endeavored to address all of the Examiner's concerns as expressed in the outstanding Office Action. Accordingly, arguments in support of the patentability of the pending

claim set are presented above. In light of these remarks, reconsideration and withdrawal of the outstanding rejections is respectfully requested.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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